

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q97391

Akio SUGIHARA, et al.

Allowed: February 7, 2011

Appln. No.: 10/594,127

Group Art Unit: 1625

Confirmation No.: 8975

Examiner: Niloofar RAHMANI

Filed: September 25, 2006

For: COMPOSITION OF SOLIFENACIN OR SALT THEREOF FOR USE IN SOLID FORMULATION

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore the fee of \$180.00 under 37 C.F.R. § 1.17(p) should be remitted. **However, as the fee of \$180.00 under 37 C.F.R. § 1.97(e) was remitted along with a previous submission filed today in the present application, Applicant believes that the fee is not required. See MPEP §609.07.**

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (Japanese Office Action, dated March 11, 2011 issued in Application No. 2006-511497), together with an English-language version of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

It is noted that six (6) references cited in the Japanese Action were previously submitted in an Information Disclosure Statement; WO 96/020194, WO 03/103659, JP 2003-261-439 and “Ahlneck, International Journal of Pharmaceutics” filed on January 25, 2007, and “Hedge, Current Opinion in Investigational Drugs”, and “Mealy, Drugs of the Future” filed on December 10, 2008.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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CUSTOMER NUMBER

Date: April 5, 2011

Respectfully submitted,

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